

FILED

MAR 17 2009

CLERK, U.S. DISTRICT COURT

By Deputy

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

KEVIN DEWAYNE LEE,

Applicant,

VS.

NATHANIEL QUARTERMAN,
Director, Texas Department of
Criminal Justice,
Correctional Institutions
Division,

Respondent.

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NO. 4:09-CV-084-A

O R D E R

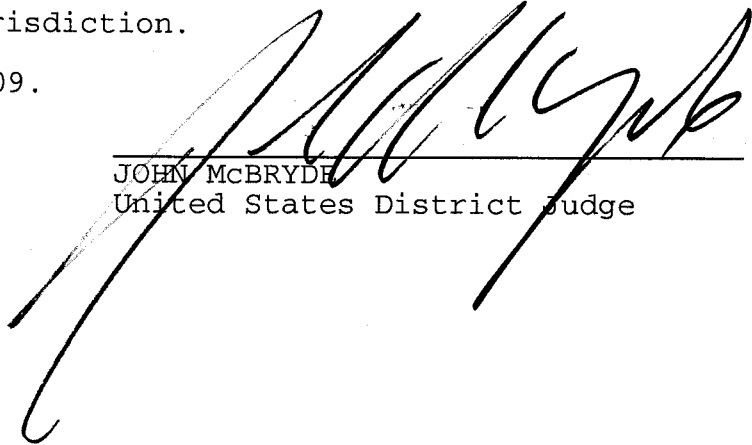
Came on for consideration the above-captioned action wherein Kevin Dewayne Lee is applicant and Nathaniel Quarterman, Director, Texas Department of Criminal Justice, Correctional Institutions Division, is respondent.¹ This is a petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254. On February 5, 2009, the United States Magistrate Judge issued his proposed findings, conclusions, and recommendation, and ordered that the parties file objections, if any thereto, by March 7, 2009. Copies of the proposed findings, conclusions, and recommendation were sent to applicant and respondent. Because timely objections have not been filed, the court accepts the proposed findings, conclusions, and

¹Applicant refers to his application as "petition" and to himself as "petitioner." Consistent with the language of 28 U.S.C. § 2254, the court uses the terms "applicant" and "application" instead of "petitioner" and "petition."

recommendation of the United States Magistrate Judge. Therefore,

The court ORDERS that the application be, and is hereby,
dismissed for want of jurisdiction.

SIGNED March 17, 2009.



JOHN MCBRYDE
United States District Judge